

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

Hearing Date: Dec. 16, 2015
Response Date: Dec. 8, 2015

<p>SECURITIES INVESTOR PROTECTION CORPORATION, v. Plaintiff-Applicant, BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.</p>	<p>Adv. Pro. No. 08-01789 (SMB) SIPA LIQUIDATION (Substantively Consolidated)</p>
<p>In re: BERNARD L. MADOFF, Debtor. IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, Plaintiff, v. STANLEY I. LEHRER, in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS; STUART M. STEIN, individually, and in his capacity as administrator of the Stanley I. Lehrer and Stuart M. Stein, J/T WROS; ARTHUR SISKIND; LINDA SOHN; NEAL GOLDMAN; DOUGLAS ELLENOFF; ELAINE STEIN ROBERTS; NEUBERGER BERMAN LLC, as former custodian of an Individual Retirement Account for the benefit of ELAINE STEIN ROBERTS; ARTHUR J. FEIBUS; EUNICE CHERVONY LEHRER; NTC & CO. LLP, as former custodian of an Individual Retirement Account for the benefit of EUNICE CHERVONY; ELAINE S. STEIN; ELAINE S. STEIN REVOCABLE TRUST; JAMAT COMPANY, LLC; THE MESTRO COMPANY; TRUST U/W/O DAVID L. FISHER; TRUST U/T/A 8/20/90; and EVELYN FISHER, individually, and in her capacity as Trustee for TRUST U/W/O DAVID L. FISHER and TRUST U/T/A 8/20/90, Defendants.</p>	<p>Adv. Pro. No. 10-05259 (SMB) <u>DECLARATION OF TERENCE W. McCORMICK</u></p>

I, Terence W. McCormick, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am a partner in the firm of Mintz & Gold LLP, counsel to Defendants Neal M. Goldman (“Goldman”), Linda Sohn (“Sohn”), Trust U/W/O David L. Fisher, Trust U/T/A 8/20/90, and Evelyn Fisher, individually and in her capacity as Trustee for Trust U/W/O David L. Fisher and Trust U/T/A 8/20/90 (the “Fisher Defendants,” and together with Goldman and Sohn, “Defendants”). I make this Declaration in support of Defendants’ motion for an Order dismissing the Amended Complaint in this adversary proceeding pursuant to Rule 12(c) of the Federal Rules of Civil Procedure (made applicable by Fed. R. Bankr. P. 7012).

2. Attached as Exhibit 1 to this Declaration is true and correct copy of the Amended Complaint in this adversary proceeding.

Executed at New York, New York on October 9, 2015.

/s/ Terence W. McCormick
Terence W. McCormick